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Attorneys for Defendants
Defendants State of California by and through
California Highway Patrol and Officer Ramon
Silva

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SANDRA KIRKMAN AND
CARLOS ALANIZ,
INDIVIDUALLY AND AS
SUCCESSORS-IN-INTEREST TO
JOHN ALANIZ, DECEASED,

Plaintiff,

v.

STATE OF CALIFORNIA;
RAMON SILVA; AND DOES 1-10,
INCLUSIVE,

Defendant.

Case No.: 2:23-cv-07532-DMG-SSC

**DEFENDANTS' PROPOSED VOIR
DIRE QUESTIONS**

Courtroom: 8C
Judge: Hon. Dolly M. Gee

FPTC: March 25, 2025, 2:00 p.m.

Trial Date: April 15, 2025, 8:30 a.m.

PLEASE TAKE NOTICE that Defendants State of California by and
through California Highway Patrol and Officer Ramon Silva propose the
following voir dire questions for the trial of this matter, which is currently

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1 scheduled to take place on April 15, 2025, in Courtroom 8C of the above entitled
2 court, the Honorable Dolly m. Gee presiding.

3 Dated: March 14, 2025

Dean Gazzo Roistacher LLP

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5 By: /s/ Lee H. Roistacher

6 Lee H. Roistacher

7 Attorneys for Defendants

8 State of California by and through

9 California Highway Patrol and

10 Officer Ramon Silva
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PROPOSED VOIR DIRE QUESTIONS

BACKGROUND

[For each juror in the panel:]

1. Please state your name:
2. Please state the city in which you live:
 - a. How long have you lived there?
 - b. Where else have you lived in the past 5 years?
3. Please state your current occupation:
 - a. How long have you been so employed?
 - b. What were your previous occupations, if any?
4. Have you ever owned a business?
 - a. If so, how many employees?
5. Please give us the following information about your family:
 - a. If applicable, what is your spouse's/domestic partner's current occupation?
 - b. If you have children?
 1. How many?
 2. What ages?
 3. What are their occupations, if any?
6. Are there any other adults living in your household? If so, how are they related to you, and what is their age and occupation?

PREVIOUS LAWSUITS/JUROR SERVICE

7. During the past five years, have any of you served on a jury or been excluded from a jury? If yes:
 - a. Was it a civil or a criminal case?
 - b. If civil, what, in general, was the case about?

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1 c. Without telling me the outcome, or who won, please tell me
2 whether or not the jury reached a verdict.

3 d. Were you ever the foreperson?

4 8. Have you, or has anyone in your immediate family, ever sued
5 someone or been sued by someone? If yes:

6 a. Who (you or a family member) was the party to the case?

7 b. Was the person a plaintiff or a defendant?

8 c. What was the nature of the case?

9 d. Was it tried by jury? Outcome? Do you feel that you or your
10 family member was treated fairly? Do you feel the
11 justice/court system treated you fairly?

12 9. Have any of you ever been a witness in state or federal court in any
13 lawsuit, civil or criminal? If yes:

14 a. Did you testify for the plaintiff or the defendant? If yes, did
15 you feel like you were treated fairly by the attorney
16 questioning you?

17 b. What was the nature of the case?

18 **LAW GENERALLY**

19 10. Have you, or has anyone in your immediate family, attended law
20 school or had any other training in the law?

21 11. Do any of you have any specific feelings or opinions about lawsuits,
22 lawyers or the parties who bring lawsuits, either positive or
23 negative?

24 12. Do any of you have any specific feelings about the size of jury
25 awards, either positive or negative?

26 13. Do any of you generally assume that a lawsuit must be valid if it
27 makes it to trial?

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FAMILIARITY WITH CASE, PARTIES, JURORS

14. [After introductions of court staff and attorneys:] Do you, or someone close to you, know any of the court staff, lawyers, or law firms in this case?
15. [After reading list of parties and potential witnesses in the case.] Do you, or someone close to you, have any experience or association with any of the parties or potential witnesses in this case?
16. Do you or someone close to you have any experience or association with the California Highway Patrol or anyone who works for the California Highway Patrol? Please explain.
17. Have you, or has anyone close to you, ever had a negative experience with the California Highway Patrol or anyone who works for the California Highway Patrol? If yes [side bar], please describe what happened and who was involved. Is it possible that those experiences could affect your ability to be an entirely fair and impartial juror in this case given that an officer of the California Highway Patrol is a party in the case?
18. Prior to arriving in the courtroom today, had you heard or read anything about this case? [If so:] Because of what you have read or heard, do you have any opinions about this case?
19. Did you know or recognize anyone else in the jury pool before coming here today? If so, how do you know each other, and will your relationship affect you if you both end up on the jury?

POLICE

20. Have any of you, any member of your family, or friends had personal contact with a police officer? If yes, please explain.
21. Do you believe police in your community do a good job?

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- 1 22. Have you or any member of your family, or any close friend, been
2 arrested or charged with a crime? Describe what occurred. Do you
3 have strong feelings about that experience? Describe those feelings.
- 4 23. Have any of you, any member of your family, or friends ever been
5 the victim of what you thought was police harassment, brutality or
6 other police misconduct? If yes, please explain.
- 7 24. Have any of you ever witnessed an incident that you believe was
8 police brutality, either in person or on a TV or internet video? If so,
9 has it affected your feelings about police officers?
- 10 25. Have any of you or anyone close to you ever made a complaint
11 against police officer or against a police department? If so, what was
12 the nature of the complaint?
- 13 26. Have any of you ever called law enforcement for help? Were you
14 treated fairly?
- 15 27. Do any of you have feelings about whether police are ever justified
16 in shooting a civilian? If yes, please explain.
- 17 28. Have you ever participated in an online discussion on a website
18 such as Facebook, Reddit, a blog, or an internet comment feed
19 regarding a police shooting? If yes, please explain.
- 20 29. Have you ever attended a protest or demonstration relating to police
21 officer misconduct? If yes, please explain.
- 22 30. Do any of you have any feelings about police officers which may
23 affect your ability to serve as a fair and impartial juror in this case?
24 If so, please describe those feelings.
- 25 31. Do any of you claim to have any special knowledge or expertise
26 with respect to the law relating to investigation, detention, arrest,
27 pursuit, or firearms/weapons by peace officers? If your answer is

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1 yes, what kind of knowledge or expertise do you have and how did
2 you obtain such knowledge or expertise?

3 32. Did you see the video of the George Floyd incident? Do you believe
4 the force was excessive? Would you be able to set aside your
5 opinions of the George Floyd incident and decide this case based on
6 the facts and evidence presented to you in this trial?

7 **STATE OF CALIFORNIA/CALIFORNIA HIGHWAY PATROL**

8 33. Has anyone had any significant interactions, good or bad, with an
9 agency or employee of the State of California?

10 34. Does anyone think that a case involving a state employee should be
11 handled different than a case against a private citizen?

12 35. Have you heard anything, good or bad, regarding the reputation of
13 the California Highway Patrol? If so, please explain.

14 36. Have any of you read or heard any negative media reports
15 concerning the California Highway Patrol that would impact your ability
16 to be fair to the officer being sued in this case?

17 **EMOTIONAL TESTIMONY**

18 37. Do any of you think you will you be influenced if a witness cries on
19 the stand or is emotional when testifying?

20 38. Do any of you think you will have trouble watching videos of the
21 shooting incident?

22 **MENTAL HEALTH**

23 39. Have you, or has anyone close to you, ever experienced a mental
24 health crisis or been diagnose with a mental illness? If yes [side
25 bar], please describe. Is it possible that your experience could affect
26 your ability to be an entirely fair and impartial juror in this case if
27 there is evidence that an individual involved in this matter suffered
28 from a mental health crisis or mental illness?

PROTECTION

40. Do you own a firearm?
41. Have you ever fired a handgun?
42. Has anyone ever assaulted you with a deadly weapon?
43. Have you ever considered buying a firearm for self-defense or home protection.
44. Have you ever heard of a Gadsden Flag?
45. Do you have food, water or medical supplies stored in your home for emergencies?

GENERAL/CLOSING

46. Do any of you have any reluctance about serving as a juror?
47. Is there anyone who would feel any reluctance in joining the discussion with the members of the jury during deliberations?
48. Would any of you feel offended if other members of the jury disagreed with your view of the evidence?
49. Would any of you be unwilling to listen to a fellow juror who disagreed with you?
50. Is there anyone who would be unwilling to speak up and try to persuade other members of the jury who disagreed with your view of the evidence?
51. Is there anyone who would be unwilling to change an opinion if, after listening to the arguments of the other members of the jury, you were persuaded that your opinion was wrong?
52. In a trial the plaintiffs put on their evidence first, and then the defendant has the opportunity to put on his evidence. Do any of you think you might have difficulty keeping an open mind regarding this case until you have heard all the evidence and I have instructed you on the law?

- 1 53. If you are selected to sit as a juror, will you be able and willing to
2 render a verdict solely on the evidence presented at the trial and the
3 law as I instruct you and not based upon your emotions, or any
4 preconceived notions about the facts or the law in this case? Is there
5 anyone who thinks he or she cannot do that?
- 6 54. Do you understand that you must follow my instructions regarding
7 the law whether you agree with the law or not? Is there anyone who
8 thinks he or she cannot do that?
- 9 55. As a juror, you may have to resolve conflicts in the testimony of
10 witnesses. This means you may have to decide whether to believe
11 or reject all or part of a witness's testimony or who is telling the
12 truth. Is there any juror who feel this is not something he or she can
13 do?
- 14 56. Can you think of any experience in your life or any other matter
15 which occurs to you now that you think you should bring to my
16 attention because it may have some bearing on your ability to be fair
17 as a juror in this case?
- 18 57. From what you have heard about this case thus far, is there anything
19 that causes any of you to believe that you cannot be fair and
20 impartial as a juror in this case?
- 21 58. Is there anything you have seen or heard so far that you think may
22 affect your ability to be fair and impartial to the parties that you
23 have not told us about up to now?
- 24 59. Do you have any bias or prejudice, for or against, any of the parties
25 or attorneys in this case?
- 26 60. Is there any reason at all why you cannot be absolutely fair to the
27 plaintiffs in this case?

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1 61. Is there any reason at all why you cannot be absolutely fair to the
2 defendant in this case?

3 62. Is there anything that you have not been asked that might affect your
4 ability to serve as a juror that you think the Court or parties should
5 know?

6 63. Is there anything you would prefer to discuss in private?
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